



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/

Application of

Arie Hengelmolen, Sjoerd van Geffen,

Rene van Bakel, Ko Arts, Wilfred Vermeulen, Shurby Eloise,

Martijn Scholten, Mike Gurreri, Hiroyuki Yamada and Masahiro Hirao Application No. 10/055,611 Group No.: 2874

Filed October 29, 2001

Examiner:

Not

YetAssigned

**Ferrule** 

Attorney Docket No. 17,684 A

#### CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on July 29, 2002, via First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231.

Date: July 29, 2002

Amy C. Quigg

Commissioner for Patents Washington, DC 20231

# DECLARATION UNDER 37 C.F.R. § 1.47(a) AND 35 U.S.C. § 116

Dear Sir:

I, Joseph M. Imhof, am an attorney for the Applicants, have reviewed the file for the present application, have discussed the file contents with Stephen J. Driscoll an attorney from Synnestvedt & Lechner LLP working on this file, and have satisfied myself that upon information and belief, the following statements are true and accurate, and thus declare as follows:

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### **PATENT**

- 1. Mr. René van Bakel is one of the co-inventors named in the above-identified application and a party to an Intellectual Property Agreement (the "Agreement") with The Whitaker Corporation.
- 2. Pursuant to the Agreement, Mr. van Bakel has an obligation to assign to The Whitaker Corporation, and its successors in interest, any and all patent rights he may have in and to the above-identified patent application, and to execute and deliver all proper documents necessary and attendant to domestic and foreign patent applications of The Whitaker Corporation.
- 3. Several attempts have been made to contact Mr. van Bakel by telephone, and a request has been made of Mr. van Bakel in the form of a letter to execute a Declaration and Power of Attorney for the above-identified application to The Whitaker Corporation pursuant to Paragraph (4) of the Agreement.
- 4. On May 6, 2002, Mr. van Bakel was sent a Declaration and Power of Attorney document to his last known address via Federal Express. No response from him has ever been received.
- 5. On June 14, 2002, we asked Martijn Scholten of The Whitaker Corporation/Tyco Electronics Corporation via email to assist us in obtaining Mr. van Bakel's signature. Mr. Scholten informed us in email correspondence of June 17, 2002 that Mr. van Bakel had left the company at the beginning of 2002.
- 6. On June 19, 2002, an attempt was made to contact Mr. van Bakel by telephone. A voice mail message was left, and a request was made that he return the call. No return phone call has ever been received.
- 7. On June 25, 2002, another attempt was made to contact Mr. van Bakel by telephone. A voice mail message was left, and he was requested to return the call. No return phone call has ever been received.

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### **PATENT**

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Declaration is directed.

Respectfully submitted,

Dated: July 29, 2002

Joseph M/ Imhof

Attorney for Applicants Registration No. 41,863

mdb

**Enclosures** 

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